

**IN THE CLAIMS:**

1. (Currently amended) A music distribution method for downloading, in response to a request from a user, music data for one or more musical pieces included in the ~~latest hit charts~~ a given latest hits chart from a server storing a lot of music data, comprising the steps of:

receiving said request at said server, wherein said request contains a chosen number associated with a given latest hits chart;

on said given latest hits chart, selecting musical pieces that have a numerical ranking not greater than said chosen number;

for each musical piece selected, determining music data to be downloaded, said music data associated with respective selected musical pieces;

determining whether music data to be downloaded from said server are already stored in a terminal of said user; and

downloading, from said server to said terminal, only music data that are not stored in said terminal.

2. (Cancelled)

3. (Previously presented) The music distribution method according to claim 1, further comprising the steps of:

downloading a latest hit charts list including places, titles and singer names to said terminal from said server; and

updating a hit charts list of the user stored in said terminal based on said latest hit charts list.

4. (Currently amended) The music distribution method according to ~~one of claims~~ claim 1, further comprising the step of deleting music data that are stored in said terminal and are not included in said latest hit charts.

5. (Previously presented) The music distribution method according to claim 3, wherein said step of determining whether music data to be downloaded from said server are already stored in a

~~terminal of said user includes the step of comparing the titles of musical pieces on said latest hit charts list with those on said hit charts list held in said user terminal.~~

6. (Original) The music distribution method according to claim 5, wherein said step of determining whether music data to be downloaded from said server are already stored in a terminal of said user includes the step of transmitting said hit charts list of said user to said server, which then performs said step of comparing the titles or musical pieces on said latest hit charts list with those on said hit charts list held in said user terminal.

7. (Cancelled)

8. (Previously presented) The music distribution method according to claim 1, wherein said terminal is a portable terminal having a music playback function, one or more downloading terminals are connected to said server via a network, and said determining step and said downloading step are performed by connecting to said downloading terminal said portable terminal or a storage medium to be loaded in said portable terminal.

9. (Original) The music distribution method according to claim 8, further comprising the steps of:

downloading a latest hit charts list including places, titles and singer names to said downloading terminals from said server; and

updating a hit charts list of the user stored in said portable terminal or said storage medium based on said latest hit charts list.

10. (Currently amended) A music distribution system comprising:

a server for storing a lot of music data; and

means responsive to a request from a user for downloading, from said server, music data for one or more musical pieces included in ~~the latest hit charts~~ a given latest hits chart, wherein said downloading means including:

means for receiving said request at said server, wherein said request contains a chosen number associated with a given latest hits chart;

means for selecting musical pieces from the given latest hits chart that have a numerical ranking not greater than said chosen number;

for each musical piece selected, means for determining music data to be downloaded, said music data associated with respective selected musical pieces;

means for determining whether music data to be downloaded from said server are already stored in a terminal of said user; and

means for selectively downloading, from said server to said terminal, only music data that are not stored in said terminal.

11. (Cancelled)

12. (Previously presented) The music distribution system according to claim 10, wherein said downloading means downloads, from said server to said terminal, a latest hit charts list including places, titles and singer names, in addition to said music data.

13. (Original) The music distribution system according to claim 12, further comprising means for updating a hit charts list of the user stored in said terminal based on said latest hit charts list.

14. (Currently amended) The music distribution system according to ~~one of claims~~ claim 10, wherein said downloading means deletes music data that are stored in said terminal and are not included in said latest hit charts.

15. (Previously presented) The music distribution system according to claim 13, wherein said determining means includes means for comparing the titles of musical pieces on said latest hit charts list with those on said hit charts list of said user.

16. (Original) The music distribution system according to claim 15, wherein said determining means includes means for transmitting said hit charts list of said user to said server, and said comparing means is provided in said server.

17. (Currently amended) The music distribution system according to ~~one of claims~~ claim 10, wherein said terminal is a personal computer.

18. (Previously presented) The music distribution system according to claim 10, wherein said terminal is a portable terminal having a music playback function, one or more downloading terminals are connected to said server via a network, and said determining means and said selectively downloading means are provided in said downloading terminal to perform said determination and said selective downloading by connecting to said downloading terminal said portable terminal or a storage medium to be loaded in said portable terminal.

19. (Cancelled)

20. (New) A method of distributing music from a server to a user device, comprising the steps of:

receiving a request from the user device for downloading a set of musical pieces that have a numerical rankings in the latest hit charts between 1 and a given ranking;

comparing a latest hit chart maintained by the server and a latest hit chart stored on the user device to create a first list of musical pieces, wherein the first list contains musical pieces that are on the latest hit chart of the server but not on the latest hit chart of the user device and that have a numerical ranking in the latest hit chart of the server at a given ranking or less; and

downloading, from the server to the user device, only musical pieces that are on the first list.

21. (New) The method of distributing music according to claim 20, wherein the user device is a portable device having a music playback function and the receiving, comparing and downloading steps are performed while the portable user device is connected to a downloading terminal that is connected to the server via a network.

22. (New) The method of distributing music according to claim 20, wherein the user device is a personal computer.